

PATENT
Serial No. 09/973,311
Docket No: US 010479
Amendment in Reply to Office Action of February 14, 2006

REMARKS

Claims 7, 27 and 28 have been cancelled. Claims 1, 10, 14, 22 and 26 have been amended. No new matter has been added. Thus, claims 1-6 and 8-26 remain pending in the present application. In view of the above amendments and the following remarks, it is respectfully submitted that all of the pending claims are allowable.

I. The Rejections Under 35 U.S.C. §103 Should Be Withdrawn

Claims 1-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0079222 ("Boykin") in view of U.S. Patent No. 6,799,214 ("Li"). (Office Action, pp. 2-6). Boykin is directed to a system and method for distributing perceptually encrypted encoded files of music and movies. As recited on page 22, left column, paragraph [0172], referring to FIG 35, a client wishing to download a file 620 searches the distributed network 610 (FIG 33) for the global list of content/files 630. A list of IP addresses is returned to the client so that the "client has all the storage information about the desired file." (Boykin, Paragraph [0172], lines 25-26). The Examiner correctly points out that Boykin does not disclose an indication of a current IP address associated with a current subset of data is provided in response to a previous request for a previous subset of data. (Office Action, p. 3).

However, the Examiner attempts to cure this deficiency with Li. (Id. at pp. 3-4). Li describes a system for delivering content to users from mirror sites which are located closer to the user than an original provider site. (Li, Abstract). Li describes an end user making an index.html

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request to a provider site. The provider site sends back an index.html file that includes an index for the actual sites including the objects (obj1, obj2, obj3) that are closer to the user. The user then uses this data to retrieve the objects from the more local servers in order to receive the objects. (Li, col. 2, line 53 – col. 3, line 11).

Claim 1 now recites “providing access to each subset of the data set via a request for the subset at the select IP address associated with the subset, wherein a response to the request for each subset includes an indication of a next IP address for a next subset of the data set, except for the response for a final subset of the data set.” Thus, in the method of claim 1, each response to a request for a subset of the data set includes the indication of the IP address for the next subset of data set.

This is in direct contrast to the disclosure of Li, which provides for a single index.html file that includes the locations for the remainder of the objects in the data request. In Li, the subsequent responses to the requests for the objects do not include any indication of the next address for the next object because that information is passed to the client as a result of the first index.html request.

Accordingly, it respectfully submitted that Boykin and Li, alone or in combination, do not teach or suggest “wherein a response to the request for each subset includes an indication of a next IP address for a next subset of the data set, except for the response for a final subset of the data set,” as recited in claim 1. Thus, applicant respectfully submits that claim 1, and all claims depending therefrom (claims 2-6, 8, 9 and 26), are allowable.

Claim 14 includes similar claim language as claim 1. Specifically, claim 14 recites “a

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response to the request for each subset including an indication of a next IP address for a next subset of the data set, except for the response for a final subset of the data set." Thus, for at least the same reasons as discussed with respect to claim 1, claim 14, and all claims depending therefrom (claims 15-21), are also allowable.

Claim 10 recites "selecting subsequent IP addresses that are associated with subsequent subsets of the data set, at least one of the subsequent IP addresses being different from the first IP address, and requesting each of the subsequent subsets at the corresponding subsequent IP addresses, wherein each response to a request for a subsequent subset includes an indication of a next one of the subsequent IP addresses, except for the response to the request for a final one of the subsequent IP addresses." Thus, claim 10 recites that responses to requests for data subsets subsequent to the first data subset also include an indication of the IP address of the next subsequent data subset.

Similar to the discussion of claim 1, Li does not teach such a method because the subsequent requests for data subsets after the first index.html request do not include information as to the location of the next data subset. Thus, applicant respectfully submits that claim 10, and all claims depending therefrom (claims 11-13), are also allowable.

Claim 22 includes similar claim language as claim 10. Specifically, claim 22 recites "request the subsequent subsets from the server system at the subsequent IP addresses, wherein each response to a request for a subsequent subset includes an indication of a next one of the subsequent IP addresses, except for the response to the request for a final one of the subsequent IP addresses." Thus, for at least the same reasons as discussed with respect to claim 10, claim 22, and all claims

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depending therefrom (claims 23-25), are also allowable.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

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CONCLUSION

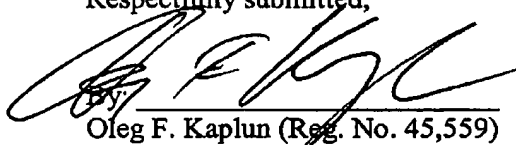
In light of the foregoing, Applicant respectfully submits that all of the pending claims are in condition for allowance. All issues raised by the Examiner have been addressed, an early and favorable action on the merits is earnestly solicited.

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Respectfully submitted,

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